

KEVIN CRAMER  
NORTH DAKOTA

SUITE 400  
RUSSELL BUILDING  
WASHINGTON, DC 20510  
202-224-2043

# United States Senate

October 13, 2020

COMMITTEES  
ARMED SERVICES  
BANKING, HOUSING, AND URBAN AFFAIRS  
THE BUDGET  
ENVIRONMENT AND PUBLIC WORKS  
VETERANS' AFFAIRS

825

The Honorable Ajit Pai  
Chairman  
Federal Communications Commission  
445 12th Street, SW  
Washington, DC 20554

Dear Chairman Pai:

I write today to express my strong support for leveraging innovative technologies to close the digital divide, particularly during this challenging period during the COVID-19 pandemic which has underscored the critical need for broadband access to all Americans. We appreciate the Federal Communications Commission ("Commission") has recently licensed several next-generation non-geostationary satellite orbit ("NGSO") systems to operate or provide broadband service in the United States. The Commission approved these licenses to provide high-quality, fast broadband in rural and remote communities across the country.

In 2018, the Commission specifically authorized several systems to use frequencies allocated in the 12 GHz band. As the Commission appropriately recognized, the 12 GHz frequency band is allocated in the U.S. and internationally to fixed satellite systems on a co-primary basis, and thus protected from interference from secondary licensees of the band. As a result of these authorizations in 2018, satellite providers operating in Low Earth Orbit ("LEO") have invested billions of dollars in spacecraft, ground equipment, consumer premise equipment, manufacturing and test facilities, and launches to deploy their networks at an unprecedented pace. Because of the Commission's authorization and private-sector innovation, some of these providers have already begun to provide broadband service to communities that have historically been unserved or underserved.

U.S. companies are currently leading the charge in the deployment of LEO broadband systems, but with rising competition, it is imperative that the U.S. maintain its leadership position. This can only be accomplished if the spectrum is being fully utilized to the benefit of the American public.

For this reason, I respectfully request answers to the following questions:

1. What is the Commission doing to ensure that the 12 GHz band is fully utilized in the public interest?
2. Will the Commission consider penalties on incumbents that do not fully utilize the spectrum they are allocated?
3. Can the Commission ensure continued use of the 12 GHz band by NGSO systems that provide broadband service if it is in the public interest? If not, is there an avenue to compensate entities that have invested significant capital in this band if they are relocated?
4. If the rules of the 12 GHz band are changed, will the Commission hold companies accountable to the construction and coverage requirements that the Commission sets?

Thank you for your tireless work to close the digital divide. We appreciate your prompt attention to these concerns.

Sincerely,



Kevin Cramer  
United States Senator